

1 MELINDA HAAG (CABN 132612)  
2 United States Attorney

3 MIRANDA KANE (CABN 150630)  
4 Chief, Criminal Division

5 THOMAS E. STEVENS (CABN 168362)  
6 KYLE F. WALDINGER (ILBN 6238304)  
7 Assistant United States Attorney

8 450 Golden Gate Avenue, 11<sup>th</sup> Floor  
9 San Francisco, California 94102  
Telephone: (415) 436-7200  
Facsimile: (415) 436-7234  
E-mail: thomas.stevens@usdoj.gov  
kyle.waldinger@usdoj.gov

10 Attorneys for Plaintiff

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA, ) No. CR 11-0393 WHA  
15 Plaintiff, ) STIPULATION AND [PROPOSED]  
16 v. ) ORDER CONTINUING SENTENCING  
17 EDWARD LOCKER, ) DATE  
18 Defendant. )  
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20 It is hereby stipulated by and between counsel for the United States, Assistant United  
21 States Attorney Kyle F. Waldinger, and counsel for defendant Edward Locker, Anthony J. Brass,  
22 that, subject to the Court's approval, the sentencing hearing presently set for March 13, 2012, be  
23 continued and set for a sentencing hearing on June 26, 2012, at 2:00 p.m. The United States has  
24 previously determined from reviewing the Court's publicly posted scheduling information that  
25 the Court is currently available for a hearing on that date. The assigned probation officer, Mr.  
26 Mabie, also has been consulted with respect to this date and has indicated that he is available on  
27 that date.

28 1. On December 6, 2011, the Edward Locker pleaded guilty to Count One of the

STIPULATION & [PROPOSED] ORDER  
CR 11-0393 WHA

1 Indictment charging him with conspiracy to commit mail fraud and wire fraud. The defendant  
2 Locker's plea was pursuant to a plea agreement in which he agreed to cooperate with the  
3 government's investigation and prosecution of other individuals.

4 2. In light of continuing cooperation under the terms of the plea agreement, the  
5 parties jointly request that the sentencing hearing set for March 13, 2012, be continued for a  
6 sentencing hearing on June 26, 2012.

7 3. Additional time is needed for the defendant to complete his cooperation with the  
8 government. Specifically, one of the defendant Locker's co-defendants, David Lin, is set to  
9 proceed to trial on April 2, 2012. It is expected that Mr. Locker will testify at that trial.

10 4. Accordingly, for all of these reasons, the parties jointly request that this Court  
11 vacate the sentencing hearing presently set for March 13, 2012, and set a sentencing hearing  
12 for June 26, 2012 at 2:00 p.m. In addition, the parties jointly request that the due dates for the  
13 presentence report be calculated using the new sentencing date.

14  
15 SO STIPULATED.

16 DATED: February 22, 2012

MELINDA HAAG  
United States Attorney

18  
19 /s/  
20 KYLE F. WALDINGER  
21 Assistant United States Attorney

22 DATED: February 22, 2012

23 /s/  
24 ANTHONY J. BRASS  
25 Attorney for defendant Edward Locker

~~PROPOSED~~ ORDER

**GOOD CAUSE APPEARING,**

IT IS ORDERED that the sentencing hearing presently set for March 13, 2012, be continued to June 26, 2012 at 2:00 p.m. The final presentence report should be disclosed two weeks prior to the sentencing date.

Dated this 22nd day February, 2012

Wm. A. Hart

William Alsup  
UNITED STATES DISTRICT JUDGE